

BILL GRAVES Secretary of State

Vol. 8, No. 23 June 8, 1989 Pages 893-916

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KANSAS WATER AUTHORITY

NOTICE OF MEETING

The Kansas Water Authority will conduct its next meeting on Wednesday, June 21, in the Chamber of Commerce conference rooms, 350 W. Douglas, Wichita.

Persons not on the Kansas Water Authority mailing list may obtain an agenda by contacting Dotty Kester, Kansas Water Office, Suite 200, 109 S.W. 9th, Topeka 66612-1215, (913) 296-3185.

JOHN BALDWIN Chairman

Doc. No. 007952

State of Kansas

DEPARTMENT OF ADMINISTRATION STATE EMPLOYEES HEALTH CARE COMMISSION

NOTICE OF MEETING

The Kansas State Employees Health Care Commission will meet at 1:30 p.m. Wednesday, June 14, in the third floor conference room of the Kansas Insurance Department, 420 S.W. 9th, Topeka.

SHELBY SMITH Chairman

Doc. No. 007954

State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of June 12 through June 18:

Date	Room	Time	Committee	Agenda
June 12	529-S	1:00 p.m.	Health Care Stabilization Fund Committee	Preliminary discussion among legislative members.
June 15 June 16	123-S	10:00 a.m. 9:00 a.m.	Energy and Natural Resources	Agenda not available.

EMIL LUTZ
Director of Legislative
Administrative Services

Doc. No. 007934

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PUBLISHED BY
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Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594



Phone: (913) 296-3489

STATE BANK COMMISSIONER STATE BANKING BOARD

NOTICE OF MEETING

The State Banking Board will meet at 9:30 a.m. Monday, June 19, in the conference room of the State Banking Department, Suite 300, 700 Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

W. NEWTON MALE State Bank Commissioner

Doc. No. 007909

State of Kansas KANSAS STATE UNIVERSITY

NOTICE TO BIDDERS

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 for additional information.

> Monday, June 19, 1989 #90139 Quadrupole Triplets

> > WILLIAM H. SESLER Director of Purchasing

Doc. No. 007944

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT OF NEGOTIATIONS FOR ANCILLARY TECHNICAL SERVICES

Notice is hereby given of the commencement of negotiations for construction management services for the New Research Facility at the Medical Center Campus of the University of Kansas, Kansas City, Kansas.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before June 23.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 007950

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF ARCHITECTURAL SERVICES

NOTICE OF COMMENCEMENT OF NEGOTIATIONS FOR ARCHITECTURAL AND ENGINEERING SERVICES

Notice is hereby given of the commencement of negotiations for contracts for architectural and engineering services for the following projects:

Architectural

Renovation of Levels 2 and 3 of Delp Pavilion Medical Center Campus of the University of Kansas Kansas City, Kansas

New Office Building for the University Press Lawrence Campus of the University of Kansas Lawrence, Kansas

New Research Facility
Medical Center Campus of the University of Kansas
Kansas City, Kansas

Remodeling of Broadcasting Hall Lawrence Campus of the University of Kansas Lawrence, Kansas

Addition to Throckmorton Hall Plant Sciences Center—Phase II Kansas State University Manhattan, Kansas

Remodeling of Cremer Hall Emporia State University Emporia, Kansas

Engineering

Energy Study of Power Plant/Campus Wichita State University Wichita, Kansas

Capital Improvement Projects Youth Center at Beloit Beloit, Kansas Department of Social and Rehabilitation Services

Repair Spillway Outlet Structure Washington State Fishing Lake Washington County, Kansas Department of Wildlife and Parks

Survey/Design Improvements for 80-acre Nesting Area Cheyenne Bottoms Wildlife Area Barton County, Kansas

Department of Wildlife and Parks

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Director of Planning and Design, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before June 23.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

CHILD SUPPORT GUIDELINES ADVISORY COMMITTEE

NOTICE OF MEETINGS

The Supreme Court Child Support Guidelines Committee will meet on the following dates in the Kansas Judicial Center, 301 W. 10th, Topeka:

June 9, 1989 (Friday)	10:30 a.m., OJA Conference Ro
July 6, 1989 (Thursday)	10:00 a.m., Hearing Room 2
July 28, 1989 (Friday)	10:00 a.m., Hearing Room 2
August 17, 1989 (Thursday)	10:00 a.m., Hearing Room 2
August 31, 1989 (Thursday)	10:00 a.m., Hearing Room 2
September 14, 1989 (Thursday)	10:00 a.m., Hearing Room 2

RONALD M. KEEFOVER Education-Information Officer

Doc. No. 007932

State of Kansas WILDLIFE AND PARKS COMMISSION

NOTICE OF MEETING AND HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 7 p.m. Thursday July 13, in the Flame Room of the Harvest Inn, 1001 E. 6th (I-70 Exit 299), Junction City, to consider the adoption and amendment of several permanent and temporary regulations of the department. If necessary, the public hearing will continue at 9 a.m. Friday, July 14, at the same location.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the regulation.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, c/o Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for adopting, amending, or rejecting the proposed regulations.

The following is a brief summary of the proposed permanent and temporary regulations:

115-3-1. Game birds; legal equipment, taking methods and possession. This regulation will be considered as both a temporary and permanent regulation. The regulation specifies the equipment and methods that may be used when hunting game birds. It also specifies conditions for the possession of game birds.

Economic Impact Summary: Department revenue will not be altered. This regulation replaces statutory requirements that are in effect until June 30, 1989, and does not represent any significant change from existing requirements. There will be no anticipated costs to either state agencies or the public as a result of this regulation.

115-3-2. Rabbits, hares and squirrels; legal equipment, taking methods and possession. This regulation will be

considered as both a temporary and permanent regulation. The regulation specifies the equipment and methods that may be used when hunting rabbits, hares and squirrels. It also specifies conditions for the possession of rabbits, hares and squirrels.

Economic Impact Summary: Department revenue will not be altered. This regulation replaces statutory requirements that are in effect until June 30, 1989 and does not represent any significant change from existing requirements. There will be no anticipated costs to either state agencies or the public as a result of this regulation.

115-8-3. Steel Shot. This permanent regulation defines the legal shot type that may be possessed and used when hunting waterfowl, coot, rail, and snipe. In addition, the regulation specifies that for department lands posted as "steel shot only," hunters using shotguns may only possess steel shot.

Economic Impact Summary: Department revenue will not be altered. Certain businesses will benefit from the sale of higher priced steel shot. Higher shotshell cost and the need for a few hunters to procure different shotguns may represent an increased cost to sportsmen. However, since this change will be mandated by federal regulations in the 1991-1992 season, these increased costs represent a one year effect. In addition, sportsman participation is voluntary.

115-9-6. Vehicle permits; display. This regulation will be considered as both a temporary and permanent regulation. The regulation specifies how department-issued vehicle permits will be displayed.

Economic Impact Summary: Department revenue will not be altered. This regulation replaces statutory requirements that are in effect until June 30, 1989, and does not represent any significant change from existing requirements. There will be no anticipated costs to either state agencies or the public as a result of this regulation.

Copies of the full text of the proposed regulations and the economic impact statement may be obtained by writing to the assistant secretary at the address above.

At the same meeting, the commission will make recommendations for the 1989 seasons on early migratory birds based on proposed federal frameworks. Copies of the proposed seasons can be obtained at the meeting. All interested parties may submit written comments prior to the hearing to the chairman of the commission at the address above. All interested parties will be given a reasonable opportunity at the meeting to express their views orally in regard to the seasons. During the meeting, all written and oral comments submitted by interested parties will be considered by the commission as a basis for its recommendations.

GERALD W. TOMANEK Chairman

KANSAS PUBLIC DISCLOSURE COMMISSION

Advisory Opinion No. 89-6

Written May 24, 1989, to Marcia Poell, Executive Director, Kansas Bar Association, Topeka.

This opinion is in response to your letter of May 17, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning the state conflict of interest law (K.S.A. 46-215 et seq.).

We note at the outset that the commission's jurisdiction is limited on the issue you raise to the statute just cited. Thus, whether some other common law or statutory system, rule or policy outside our jurisdiction applies to your question is not covered by this opinion.

We understand you request this opinion in your capacity as executive director of the Kansas Bar Association. You advise us that the Kansas Bar Association is a non-profit voluntary organization of 5,100 attorneys engaged in, among other activities, the presentation of continuing education seminars. The registration fee for the KBA annual meeting, scheduled for June 14-17 in Vail, Colorado, is \$160 for KBA members and \$220 for non-members. Registration fees at other seminars vary but average \$85 per full day program.

The KBA Board of Governors voted to waive the annual meeting registration fee for Kansas appellate and district court judges and is currently considering extending the registration fee waiver to the appellate judges' research staff for selected seminars. These judges and attorneys would remain responsible for transportation, lodging and meals.

You seek an advisory opinion whether, consistent with K.S.A. 46-237, the KBA may offer the judges and their research staff such a registration fee waiver at educational programming.

The prohibitions contained in K.S.A. 46-237 apply to "state officers or employees" and "candidates for state."

"State officer or employee" is defined in K.S.A. 46-221(a) with the following exception:

"State officer or employee does not include any justice or commissioner of the supreme court or judge of the judicial branch or employee or officer of the judicial branch or any member of a board, council or commission who is appointed by the supreme court or who is elected or appointed to exercise duties pertaining to functions of the judicial branch, when such person is engaged in performing a function or duty for the judicial branch."

With this exception we are satisfied that none of the individuals you have described meet the definition of "state officer or employee" as that phrase is used in K.S.A. 46-237.

"Candidate for state office" is also defined in K.S.A. 46-221(b) as follows:

"'Candidate for state office' means a candidate for nomination or election to any state office as defined in K.S.A. 25-2505 and amendments thereto, except district judges."

Suffice it to say that district judges are the only category of persons you have mentioned who are "candidates for state office" under K.S.A. 25-2505. Since they are exempted by this definition, none of the persons you have described meet this definition either.

Thus, since neither definition applies to the categories of persons you have described, it is our opinion that K.S.A. 46-237 does not apply to the situation you have described.

Advisory Opinion No. 89-7

Written May 24, 1989, to Delores Dalke, CRB, Hillsboro.

This opinion is in response to your letter of May 1, 1989, in which you request an opinion from the Kansas Public Disclosure Commission concerning K.S.A. 75-4301 et seq.

We understand you request this opinion in your capacity as a city commissioner.

You advise us that you own a corporation that is engaged in listing, selling and managing real estate. You state that commissions are not paid directly to you, but rather to the corporation, and you receive a fee from the corporation for each sale.

You ask whether you hold a substantial interest in each person paying a commission to the corporation and, if so, on what date does the interest arise and for how long does it continue to exist.

K.S.A 75-4301 defines "substantial interest" in pertinent part as follows:

"... If a person's salary, compensation or other remuneration is a portion or percentage of a fee paid to a business or combination of businesses, a person shall have a substantial interest in any client who pays a fee to such business or combination of businesses from which fee such person receives one thousand dollars (\$1000) or more in the current or immediately preceding calendar year."

From a review of this section, it is our opinion, in the situtation where you are paid a fee directly related to each sale, that you do have a "substantial interest" in each client of the corporation if the dollar threshold is met. The substantial interest arises on the date you receive your fee from the corporation and lasts through the calendar year in which the fee is received and for one year thereafter.

LOWELL K. ABELDT Chairman

BOARD OF EXAMINERS IN OPTOMETRY

NOTICE OF EXAMINATION

Pursuant to K.S.A. 74-1504, the Kansas State Board of Examiners in Optometry will examine applicants for certificates of optometric registration July 15-18 in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. For additional information call (316) 262-3716.

DAVID L. BETTIS, O.D. Secretary-Treasurer

Doc. No. 007935

State of Kansas

SECRETARY OF STATE

NOTICE OF FORFEITURE

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations to do business in the state of Kansas were forfeited May 15, 1989, for failure to file an annual report and pay the annual franchise tax as required by the Kansas general corporation code.

Domestic Corporations

A. J. Investments, Inc., Dodge City, KS. ABM Consultants, Inc., Wichita, KS. Advantage Real Estate, Inc., Olathe KS. Advertising Concepts, Inc., Wichita, KS. Air Cap Motel, Inc., Wichita, KS. Allstate Roofing, Inc., Olathe, KS. American Home Garden Center, Inc., Overland Park, KS. B & B Sales and Services, Inc., Liberal KS. Barbron Heating & Cooling Co., Kansas City, KS. Bee-Lee Corporation, Valley Center, KS. Brookstone Catering, Inc., Shawnee, KS. Bud's Tank Truck Service, Inc., Winfield, KS. Cahow-Moore, Inc., Olathe, KS. Catron Homes, Inc., Wichita, KS. Chardus Corporation, Hutchinson, KS. Clark Six, Incorporated, Turon, KS. Cole Janitoral Service, Inc., Burlington, KS. Commercial Floor Covering, Inc., Wichita, KS. Compudata, Inc., Wichita, KS. Craig Small Animal and Bird Clinic Inc., P.A. Wichita, KS. Creative Art Glass, Inc., Lawrence, KS. Credit Bureau Services, Inc., Dodge City, KS. Crossfire Corporation, Emporia, KS. Crossroads Livestock, Inc., Philipsburg, KS. CSK Restaurant Management, Inc., Shawnee, KS. D & G Investments, Inc., El Dorado, KS. Decatur Manufacturing, Inc., Oberlin, KS. Deluxe Motors, Inc., Troy, KS. Discovery, Inc., Great Bend, KS. Employee Security Planners, Inc., Wichita, KS. Fabrication Machinery Co., Arkansas City, KS. Family Home Service, Inc., Overland Park, KS.

Geo. A. Roehr Company, Leawood, KS. Gragg's Paint Company of Kansas City, Inc., Kansas City, KS. Great Plains Bicycle Shop, Inc., Salina KS. Guaranty Performance Co., Inc., Independence, KS. Hoelting Contracting, Inc., Shawnee, KS. Homestead Insurors, Inc., Topeka, KS. Indus Castings, Inc., Overland Park, KS. Jack Caldwell, Inc., Wichita, KS. James B. Peeke & Co., Mission, KS. Joy, Inc., Overland Park, KS. K. N. H. Enterprises Inc., Prairie Village, KS. Kansas Beef Packers, Inc., Kansas City, KS. Kansas Matchplate Company, Inc., Caney, KS. Karefree Nursing Centers, Inc., Wichita, KS. Kessler Construction Company, Overland Park, KS. KMS Enterprises, Inc., Russell, KS. L & R Fertilizer, Inc., Ulysses, KS. Larry Holgerson Grain Dealer, Inc., Wichita, KS. Little Stores, Inc., Kiowa, KS. Lodging Management Corporation, Wichita, KS. LSM, Inc., Wichita, KS. Lubbers Brothers Rentals, Inc., Wichita, KS. Manna Enterprises, Inc., Kansas City, KS. Maus Supply, Inc., Wichita, KS. Mayberry Company, Inc., Kiowa, KS. Meadowlands Construction and Development, Inc., Overland Park, KS. Midland Construction, Inc., Lawrence, KS Midwest Financial Group Incorporated, Rose Hill, KS. Mike Dillman Fixture & Cabinet, Inc., Kansas City, KS. Mining and Industrial Lubricants Consultants, Inc., Shawnee, KS. Mylan Associates, Inc., Lawrence, KS. The National Classified Network, Ltd., Wichita, KS. Nelson Music Company, Inc., Hutchinson, KS. Neo-Builders, Inc., St. Paul, KS. The New Gardner Flower Shop, Inc., Olathe, KS. Nicewaner Electric Motor Co., Inc., Chanute, KS. Normandy Club Association, Inc., Great Bend, KS. Normandy I, L.P., Leawood, KS. P.L.S., Inc., Overland Park, KS. Paramount, Inc., Wichita, KS. Patton & Sons Service Station, Inc., Kansas City, KS. Pittsburg Communications Systems, Inc., Pittsburg, KS. PKOP, Inc., Wichita, KS. Plus Dynamics, Inc., Leawood, KS. Pony Express Enterprises, Inc., Hanover, KS. Por'e Richards, Inc., Topeka, KS. Quality Heating & Cooling, Inc., Lenexa, KS. Rawlings Plumbing Inc., Beloit, KS. Resnick Auto Electronics, Inc., Overland Park, KS. Results, Inc., N. Hollywood, CA. Rex Bowden, Inc., St. John, KS. Rodgers Brothers Construction, Inc., Kansas City, KS. Sam Brown & Son, Inc., Pittsburg, KS. Service Business Forms Company, Inc., Wichita, KS. Seven Hills Development Co., Shawnee Mission, KS. Shankel Corporation, Overland Park, KS. Sulco, Inc., Sabetha, Ks. Sun Energy Homes, Incorporated, Overland Park, KS.

Taco Grande of Hutchinson, Inc., Lawrence, KS. Teletronics, Inc., Overland Park, KS.

Think Tank, Inc., Wichita, KS.

Thompson-Crawley Furniture Rental of Wichita Inc., Wichita, KS.

Topeka Retirement Center, Ltd., Topeka, KS. Total Frame Contractors, Inc., Lenexa, KS. Universal Computer Services, Inc., Goddard, KS. Venture Systems, Inc., Columbus, KS. Western Kansas Neurology, Chartered, Great Bend, KS.

Westridge Development Corporation of Emporia, Lenexa, KS.

WKH Financial Services, Inc., Wichita, KS. Woodbury Homes, Inc., Clearwater, KS. Zamfir, Ltd., Wichita, KS.

Foreign Corporations

A. G. Baird, Inc., Weston, Ontario, Canada. American Home Exteriors, Inc., Overland Park, KS. American Office Equipment, Inc., Kansas City, MO. ARA Trailblazer, Carrollton, TX. Basin Exploration, Inc., Fort Collins, CO. Bennett-Hall, Inc., Kansas City, MO. Continental-Heine, Inc., Des Plains, IL. Contour Design, Inc., St. Louis, MO. Dunkin' Donuts Incorporated, Randolph, MA. Econocom-USA, Inc., Memphis, TN. Graphic Color of Kansas, Inc., Elk Grove Village, IL. Greystone Constructors, Inc., Sugar Land, TX. Hobic-Plus, Inc., Tulsa, OK. Information Solutions, Inc. (A Colorado Corporation), Englewood, CO.

JFG Incorporated, Kansas City, MO. Management Analysis Company, San Diego, CA. Medtronic, Inc., Minneapolis, MN. Mid-America Contractors, Inc., Stillwater, OK. Oklahoma Petroleum Consultants, Inc., Tulsa, OK. Pharm-Tech, Inc., Overland Park, KS. Pork Purveyors, Ltd., Urbandale, IA. Protection Services Inc., Harrisburg, PA. Public Leasing Corporation, Oklahoma City, OK. R. L. Sweet Investment Company, Kansas City, KS. Ray Bell Construction Company, Incorporated,

Brentwood, TN. Rosco, Inc., Dallas, TX.

T. F. Services, Inc., Westbury, NY.

Taystee Baking Company of Kansas City, Inc., Kansas City, KS.

Texas Automatic Sprinklers, Inc., Dallas, TX. Timbre Hearing and Speech Centers, Inc., Northbrook, IL.

WHC Constructors, Inc., Atlanta, GA.

White & Sons Pipeline Construction, Inc., Pampa, TX. Xeta Corporation, Tulsa, OK.

> **BILL GRAVES** Secretary of State

Doc. No. 007938

State of Kansas SECRETARY OF STATE

NOTICE

TO ALL TO WHOM THESE PRESENTS SHALL COME. GREETINGS:

I, Bill Graves, Secretary of State of the State of Kansas, do hereby certify that pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of June 1, 1989, through June 30, 1989, shall be 11.98 percent.

In testimony whereof: I have hereto set my hand and cause to be affixed my seal. Done at the City of Topeka,

this 31st day of May, A.D. 1989.

BILL GRAVES Secretary of State

Doc. No. 007940

State of Kansas

ATTORNEY GENERAL

Opinion No. 89-61

Cities and Municipalities—Ordinances of Cities; General Provisions-Style or Ordaining Clause.

Cities and Municipalities-Ordinances of Cities; Initiative and Referendum Ordinances-Petition for Proposed Ordinance; Requirements. Thomas A. Glinstra, City of Olathe Municipal Counsel, Olathe, May 18, 1989.

K.S.A. 12-3005 prescribes that "[t]he style or ordaining clause of all ordinances shall be: 'Be it ordained by the governing body of the city of _____:." This requirement is mandatory, and a proposed ordinance submitted under the provisions of K.S.A. 12-3013 must include an ordaining clause. As Ordinance No. 112-A of the city of Olathe contains no such clause, it is our opinion that the "ordinance" is void and unenforceable. Cited herein: K.S.A. 12-3005; 12-3013; Kan. Const., Art. 2, § 20. TRH

Opinion No. 89-62

Taxation-Judicial Foreclosure and Sale of Real Estate by County-Purchase by City of Property Offered for Sale Under K.S.A. 79-2804; Apportionment of Proceeds of Sale. Joel R. Kriss, Colby City Attorney, Colby, May 18, 1989.

Under the provisions of K.S.A. 79-2804i, if a city (to which special assessments are owed) is the successful bidder at a foreclosure sale, it shall be required to pay the delinquent real estate taxes plus the costs and expenses of sale, but shall not be required to pay any delinquent special assessments that are a result of improvements made or work done by or on behalf of the city or any interest and penalties on said delinquent special assessments. A portion of said payment will be returned to the city under the provisions of K.S.A. 79-2805, which prescribes that the proceeds of the foreclosure sale are to be prorated to each fund, if practicable, based upon its pro-(continued)

portionate interest in the entire lien for taxes and interest included in the foreclosure action. Cited herein: K.S.A. 79-2804i, 79-2805; 1976 Senate Bill No. 386. TRH

Opinion No. 89-63

Taxation—Property Valuation, Equalizing Assessments, Appraisers and Assessment of Property; Statewide Reappraisal—Duties and Authorities of Property Valuation and County and District Appraisers; Methods of Establishing Valuations; Pasture and Rangeland. Representative Gayle Mollenkamp, 118th District, Russell Springs, May 22, 1989.

K.S.A. 1988 Supp. 79-1476 requires the director of property valuation to develop a classification system for all land devoted to agricultural use based on criteria established by the United States Department of Agriculture Soil Conservation Service. Land is classified according to "quality" insofar as it is grouped by predicted production capability. The value of a particular tract of land may be further adjusted by the local appraiser to reflect adverse conditions peculiar to that tract. Cited herein: K.S.A. 1988 Supp. 79-1476; Kan. Const., Art. 11, §§ 1, 12. JLM

Opinion No. 89-64

Insurance—Regulation of Certain Trade Practices—Unfair Methods of Competition or Unfair and Deceptive Acts or Practices; Title Insurance. Debra K. Schauf, State Representative, 81st District, Mulvane, May 22, 1989.

"Gross operating revenue," as that term is used in 1989 House Bill No. 2502, includes revenue received from transactions other than title insurance. For purposes of determining whether 2 percent of gross operating revenue received in the previous six months is derived from controlled business, revenue received from transactions involving land sales in counties populated by 10,000 or less is not included.

Since the prohibitions contained in the act do not apply to existing title insurance contracts, the act does not violate the contracts clause of the United States Constitution.

The distinction between counties having a population of 10,000 or less and those having a population of more than 10,000 does not create an impermissible classification.

Finally, the rule-making authority granted by the act does not conflict with the statute granting rulemaking authority in areas not affected by the act. Cited herein: K.S.A. 40-1111, as amended by L. 1988, ch. 156, § 19; K.S.A. 40-2404 (Ensley 1986); K.S.A. 1988 Supp. 40-2404, as amended by 1989 House Bill No. 2502; K.S.A. 40-2404a; K.A.R. 40-3-43 (proposed, not yet published); U.S. Const. Art I, § 10, cl. 1. MWS

Opinion No. 89-65

Elections—State Board of Education Member Elections—Disqualification for Office; State Employees. Representative Vernon L. Williams, 91st District, Wichita, May 26, 1989.

K.S.A. 25-1904 precludes any state employee from being a member of the State Board of Education. A ten-

ured faculty member of a regent's institution is a state employee and thus, unless the employment is terminated, is disqualified from being a State Board of Education member. In that the constitutionality of statutes is presumed and all doubts resolved in favor of constitutionality, we believe K.S.A. 25-1904, an attempt to assure the independence of the board, is constitutionally sound. Cited herein: K.S.A. 25-1903; 25-1904; 74-4925; 75-2935; K.S.A. 1988 Supp. 76-746; Kan. Const., Art. 6, §§ 2, 3. JLM

Opinion No. 89-66

Taxation—Motor Vehicle Fuel Taxes; Motor-Fuel Tax—Tax Imposed on Use, Sale or Delivery of Motor-Vehicle Fuels; Pumps Labeled to Show Alcohol Content. Senator Ben E. Vidricksen, 24th District, Salina, May 30, 1989.

The Kansas labeling law found in subsection (b) of K.S.A. 1988 Supp. 79-3408 that requires every retail pump for motor vehicle fuel be labeled to show content and percentage of any ethyl alcohol or other alcohol combined or alone in excess of 1 percent by volume does not violate Sections 1 and 2 of the Kansas Constitution or the 14th Amendment of the United States Constitution. Cited herein: K.S.A. 1988 Supp. 79-3408; Kan. Const., Arts. 1 & 2; U. S. Const., 14th Amend. GE

ROBERT T. STEPHAN Attorney General

Doc. No. 007941

State of Kansas

ANIMAL HEALTH DEPARTMENT

NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

The Kansas Animal Health Department is adopting a regulation, K.A.R. 19-17-1, involving fees for license or certificate of registration under K.S.A. 1988 Supp. 47-1701 et seq. Animal dealers, hobby kennels, pounds and shelters in first class cities, pet shops and research facilities will bear the cost of the program and will be affected by the proposed regulation implemented by the Animal Health Department.

The complete text of the regulation may be obtained from the Animal Health Department, Anchor Savings Building, 712 Kansas Ave., Suite 4B, Topeka 66603-3808.

A public hearing on this regulation will be conducted at 10 a.m. Wednesday, July 12, in the fourth floor conference room of the Animal Health Department, Anchor Savings Building, Topeka.

The period of 30 days notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Interested parties may present their views in writing at the hearing or by mailing such comments to the Animal Health Department at the address above.

A.T. KIMMELL Livestock Commissioner

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative permit has been prepared for the water pollution abatement facilities for the feedlot described below. The tentative determinations for permit content are based on preliminary staff review applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant Ford County Feed Yard, Inc. Highway 154

Legal Description
W 1/2 Section 29, Township 27S, Range 22W,
Ford County, Kansas

Receiving Water Upper Arkansas River Basin

Ford, KS 67842 Kansas Permit No. A-UAFO-CO09

Kansas Permit No. A-UAFO-CO09 Fed. Permit No. KS-0115657

The feedlot has capacity for approximately 34,000 cattle with expansion planned for an additional 5,000 cattle and a contributing drainage area of approximately 297 acres.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 109 acre-feet.

Compliance Schedule: None, existing controls adequate.

Written comments on the proposed NPDES permit may be submitted to Bethel Spotts, Permit Clerk, Permits and Compliance Section, Kansas Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to July 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-89-17) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday.

The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

STANLEY C. GRANT Secretary of Health and Environment State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE OF INTENT TO DENY A HAZARDOUS WASTE DELISTING PETITION

On March 31, 1988, the Kansas Department of Health and Environment first published in the Kansas Register its intent to deny a hazardous waste delisting petition held by the Texaco Refining and Marketing Company, Inc., El Dorado. This public notice makes final the decision to deny Texaco's petition.

As noted above, KDHE first announced its intent to deny Texaco's petition on March 31, 1988. In this first announcement, KDHE provided background information on Texaco's petition and a brief description of the procedures used to re-evaluate the petition. Several public comments were received on this proposed action.

In response to these comments, KDHE published a second public notice on this action in the Kansas Register on February 16, 1989. The second notice specifically requested comments on the appropriateness of the groundwater models used to evaluate Texaco's petition.

Several comments were received. These comments claimed that the models used were not appropriate because the models were not designed for use with the landfarming operations conducted by Texaco at its El Dorado facility and that the models do not take into account site specific information.

A landfarm version of EPA's groundwater model was, in fact, used to evaluate Texaco's petitions. Site specific information was not considered because once a delisting petition is approved, the waste may be managed as non-hazardous at any site, i.e., there is no regulatory requirement that the waste must always be managed at the site described in the petition. Site specific groundwater monitoring data may be used, but it must be obtained from a monitoring system that meets all of the requirements outlined in 40 CFR 264 Subpart F. The current groundwater monitoring system at Texaco's El Dorado facility for the landfarm does not meet these requirements.

This public notice makes final KDHE's tentative decision to deny Texaco's hazardous waste delisting petition #82-3 for K048, K049, K050, K051, and K052. The effective date for this action shall be September 1, 1989. After September 1, 1989, the petitioned waste will be considered a hazardous waste and must be managed in compliance with all rules and regulations contained in K.S.A. 65-3430 et seq. and K.A.R. 28-31-1 through 28-31-14.

For additional information on this action, please contact John Paul Goetz at the KDHE central office in Topeka, Bureau of Waste Management, (913) 296-1607.

STANLEY C. GRANT Secretary of Health and Environment

Doc. No. 007942

Facility

State of Kansas

DEPARTMENT OF HEALTH AND ENVIRONMENT

NOTICE CONCERNING KANSAS WATER POLLUTION CONTROL PERMIT

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address
of Applicant
Sunflower Army
Ammunition Plant
P.O. Box 640
DeSoto, KS 66018
the state of the s

Waterv	vay	
	River via	Captain
	Hanston	
	eek, and	
Tributa	ries, Kans	as River
D!	-	

Type of Discharge Process and **Domestic** Wastewater

Johnson County, Kansas

Kansas Permit No. F-KS12-PO01

Fed. Permit No. KS-0028321

Description of Facility: This facility is is a government-owned, contractor-operated military industrial installation engaged in the production of military propellants and propellant ingredients utilizing nitroguanidine, nitroglycerine and nitrocellulose. Wastewater treatment at this installation includes ammonia stripping, sedimentation, flocculation, neutralization, aeration, chemical precipitation, oil/water separation and trickling filter. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards. K.A.R. 28-16-28(b-

Name and Address of Applicant	Waterway	Type of Discharge
Enron Gas Pipeline P.O. Box 1188	Smoky Hill River	Hydrostatic Test
Houston, TX 77251-1188 Ellsworth County, Kansas		Discharge

Kansas Permit No. F-SH07-PO01 Fed. Permit No. KS-0086444 Description of Facility: Used natural gas pipeline to be hydrostatically tested. This will be a one-time discharge. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards,

K.A.R. 28-16-28(b-f).

Name and Address
of Applicant
Butler County Sewer
District No. 17
(Beaumont)
% Butler County
Commissioners
Butler County Courtho

El Dorado, KS 67092

Vaterway	Type of Discharge
Valnut River via Hickory creek via North Branch of lickory Creek	Secondary Wastewater Treatment Facility

Butler County, Kansas Kansas Permit No. M-WA23-OO01 Fed. Permit No. KS-0082180 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address
of Applicant
Mulvane Mobile Home
Park
% Bruce Simpson

Waterway	
Arkansas River via	
Dog Creek	
- ,	

Type of Discharge Secondary Wastewater Treatment

12017 S. 95th St. East Box 733 Mulvane, KS 67110

Sumner County, Kansas Kansas Permit No. C-AR64-BO01

Fed. Permit No. KS-0047694

Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council % City Clerk, City Hall	Kansas River	Secondary Wastewater
214 1st St., P.O. Box 33		Treatment
St. George, KS 66535		Facility
Pottawatomie County, Kan	cac ·	

Kansas Permit No. M-KS66-OO01 Fed. Permit No. KS-0079391 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.

Name and Address		Type of
of Applicant	Waterway	Discharge
Sealright Company, Inc. 2925 Fairfax Road	Missouri River via Fairfax Stormwater Sewer	Non-Con- tact Cool-
Kansas City, KS 66115		ing Water
Wyandotte County, Kansas		-

Kansas Permit No. I-MO25-CO01 Fed. Permit No. KS-0001902 Description of Facility: Well water from on-site wells is discharged as once-through cooling water from five air compressors, an air conditioning condenser, and water chiller condenser. The cooling water is discharged to a common surge tank prior to being pumped to the Fairfax stormwater sewer. This is an existing facility and previous limitations are continued. Annual sampling for volatile organic compounds (VOCs) has been added. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards. K.A.R. 28-16-

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Department of Health and Environment, Division of Environment, Bureau of Water Protection, Forbes Field, Topeka 66620. All comments received prior to July 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-89-23/28) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> STANLEY C. GRANT Secretary of Health and Environment

> > sanda gir

STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 23,000 cubic yard detention dam, Site M-1 in Franklin County, will be received by the Marais des Cygnes Drainage District No. 1 at the Franklin County SCS office, 209 W. 2nd, Ottawa 66067, until 8 p.m. on July 3 and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from Agricultural Engineering Associates, Inc., 102 E. 2nd, Box 4, Uniontown 66779, (316) 756-4845.

KENNETH F. KERN Executive Director

Doc. No. 007933

(Published in the Kansas Register, June 8, 1989.)

SUMMARY NOTICE OF BOND SALE
Unified School District 418
McPherson County, Kansas (McPherson)
General Obligation Asbestos Removal Bonds
Series 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and official statement dated June 8, 1989, sealed bids will be received by the clerk of Unified School District 418, McPherson County, Kansas (McPherson), on behalf of the Board of Education at the office of the Board of Education, 514 N. Main, McPherson, KS 67460, until 2 p.m. C.D.T. on Monday, June 19, 1989, for the purchase of \$300,000 principal amount of General Obligation Asbestos Removal Bonds, Series 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 15, 1989, and will become due serially on November 1 in the years as follows:

Year	4	1.5	Principal Amount
1990	1.1		\$50,000
1991			55,000
1992			60,000
1993			65,000
1994	1 1 1		70,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$6,000 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before June 30, 1989, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$81,805,225. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$3,890,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Ron Ballard, 514 N. Main, Mc-Pherson, KS 67460, (316) 241-3656.

U.S.D. 418 McPherson County, Kansas

Doc. No. 007953

(Published in the Kansas Register, June 8, 1989.)

SUMMARY NOTICE OF BOND SALE City of Ottawa, Kansas

General Obligation Street, Sewer and Parking Lot Improvement Bonds Series "A" 1989

(general obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale and official statement, sealed bids will be received by the city clerk of the city of Ottawa, Kansas, on behalf of the governing body at City Hall, 4th and Walnut Streets, Ottawa, until 3 p.m. C.D.T. on Monday, June 19, 1989, for the purchase of \$571,184 principal amount of General Obligation Street, Sewer and Parking Lot Improvement Bonds, Series "A" 1989. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$6,184. The bonds will be dated July 1, 1989, and will become due serially on November 1 in the years as follows:

Year		 Principal Amount
1990		 \$ 26,184
1991		45,000
1992		45,000
1993		50,000
1994	,	55,000
1995		60,000
1996		65,000

(continued)

1997 70,000 1998 75,000 1999 80,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 1990.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$11,423.68 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder within 45 days after the date of sale at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1988 is \$31,576,138. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$3,703,651.54.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from City Clerk Orlin W. Smith, Ottawa, KS 66067, (913) 242-2190, or from Gilmore & Bell, Financial Plaza II, Suite 150, 6800 College Blvd., Overland Park, KS 66211, (913) 661-0001.

City of Ottawa, Kansas

Doc. No. 007947

State of Kansas

KANSAS RACING COMMISSION

PERMANENT ADMINISTRATIVE REGULATIONS

Article 11.—SECURITY AND SAFETY

112-11-20. Racetrack facility safety standards, greyhound race meets. (a) Each greyhound racetrack shall have:

- (1) a minimum width of 20 feet with inside and outside fixed curbs at a specified slope in the outside curb;
- (2) a first turn radius of 128 feet, with a second turn radius of 118 feet, and straight-aways of 279.6 feet;
- (3) a graduated minimum bank of 13/4 inch to each 12 inches on each turn:
- (4) the five-sixteenths mile starting box set back in a chute:
- (5) a water pumping system providing adequate volume and pressure to uniformly hand water the entire racing surface, as needed. Automatic sprinkling systems may be used to complement, but shall not replace, the hand watering system;
- (6) automatic openers with a manual backup for each starting box:
- (7) one curtain placed at least 50 feet before the escape and one curtain placed 25 feet beyond the escape and placed so as not to distract greyhounds while they are racing;
 - (8) an inside lure with an extendible arm:
- (9) a commission-approved track base that is non-abrasive to the greyhounds' feet, adequate track drainage and proper resiliency;
- (10) unless otherwise approved by the commission, a closed-fluid winterization system extending from the starting boxes to the entire width and length of the track. Chemicals shall not be applied to the racing surface of a greyhound racetrack; and
- (11) a video monitoring system with a monitor in the judges' room and trainers' lounge that permits the racing judges and trainers to view the activities in the lockout kennel, the movement of the leadouts and greyhounds from the lockout kennel to the starting boxes and the activities at the starting boxes;
 - (b) Each lockout kennel facility shall have:
- (1) Soundproofing, such as masonry construction, that will prevent the greyhounds from being disturbed by outside noises:
- (2) crates located at floor level, unless otherwise approved by the commission:
 - (3) crates of molded fiberglass or metal with:
 - (A) Removable wooden floors:
- (B) minimum inside dimensions of 36 inches wide, 42 inches deep and 36 inches high; and
- (C) a design providing for partitions to separate each crate should this be desired by the majority of the kennels booked at that meet;
- (D) a sufficient number of crates to house the grey-hounds required to schedule 13 races. A second weighin shall be held as soon as crates are available during performances with more than 13 races;
 - (E) closed crate doors that leave one inch of clearance

at top, bottom, and latching sides that protect the greyhound's tail and feet from injury; and

(F) drop latches or comparable latches that prevent haz-

ard to the greyhounds;

(4) a climate control system that can maintain a temperature between 68 and 75 degrees Fahrenheit; and

(5) an area equipped with heating and air-conditioning where greyhounds and trainers may wait to weigh in.

(c) Each organization licensee shall provide a coolout area that shall have a minimum of four water faucets with hoses and a dipping vat through which greyhounds may be walked to quickly cool them after racing. Each organization licensee shall change the water in the vat at least daily and prevent muddy residue from accumulating

(d) Each organization licensee shall provide:

- (1) A covered walkway from the parking area to the lockout kennel; and
- (2) a covered walkway from the coolout area to the parking area.

(e) Each kennel compound area shall have:

- (1) Separate kennel buildings of masonry construction for each contract kennel;
- (2) a location far enough away from the grandstand and racing areas that kenneled dogs will not be disturbed by racetrack noises; and
- (3) twenty-four hour security for the compound enclosure provided by the organization licensee when the official racing season begins.

(f) Each kennel building shall have:

(1) A partitioned kitchen area and crate area;

(2) minimum dimensions of 20' by 62';

- (3) at least two adjoining turnout pens for each kennel building, free of obstructions, and at least 30' by 40' each, with interconnecting gates, a 20' overhang that extends the length of the building, drainage and a water faucet in each. Each turnout pen shall be lighted by at least two halogen lights of at least 300 watts each, one at each end. The area shall be surrounded by chain link fence to at least six feet;
- (4) a minimum of 12" of sand in turnout pens, to be removed and replaced by the organization licensee with new sand at least every 12 months of racing;

(5) a gate in each turnout pen through which a vehicle may be driven to remove the sand and deposit new sand;

(6) a fenced safety pen eight feet wide, located between the parking area and turnout pens and equipped with gates, to facilitate the moving of greyhounds directly between the parking area and the turnout pens;

(7) a maximum of 60 crates;

(8) metal crates with compartments that are at least 36 inches wide, 42 inches deep, and 36 inches high and

equipped with drop latches and casters;

(9) not more than 60 greyhounds housed in each kennel building with not more than one greyhound in each crate, unless the racing judges have approved a specific request otherwise;

(10) a kitchen area equipped with a hot water heater with a minimum capacity of 20 gallons, a deep sink of durable construction with a drain board, adequate shelving and cabinet space and a shower and commode in an enclosed area;

(11) one floor drain in each crate area and one floor drain in each kitchen area;

(12) a climate control system that is capable of maintaining a temperature between 68 and 75 degrees Fahrenheit:

(13) smoke and temperature alarms in each kennel area connected to the compound security office and capable

of alerting security of emergency conditions;

(14) emergency backup power adequate to provide continuous ventilation that will protect the greyhounds in the event of power failures occurring at any time during a racing season scheduled in the months of May through September:

(15) a fresh air ventilation system or a minimum of four windows of approximately four square feet each that are

equipped with screens and may be opened.

(16) lighting to adequately illuminate all areas inside the kennel;

(17) adequate space within the kennel building for each contract kennel to place a dog walking machine and adequate floor space within the crate area for a hydrotherapy

(18) on line hook-up for a telephone and a video monitoring system that permits the trainers to watch the races.

(g) Unless otherwise approved by the commission, each organization licensee shall provide sprint paths as follows:

(1) One sprint path measuring at least 16 feet by 350 feet, equipped with a common center fence, and heated by a closed-fluid winterization system extending the length and width of the sprint path;

(2) two open sprint paths measuring at least 20 feet by

500 feet:

(3) one all-weather surface road sufficient to operate a vehicle on adjacent to each sprint path; and

(4) a sprint path surface to which chemicals shall not

be applied.

(h) Each sprint path shall be located so that sprint activity does not disturb greyhounds in the kennel compound area. Each sprint path shall be available for use at all times, except during racing hours, and shall be equipped with side gates through which greyhounds may enter the path and a gate through which a kennel vehicle may be driven. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1987 Supp. 74-8804, 74-8813; effective July 24, 1989.)

JIMMY D. GRENZ Executive Director

BEHAVIORAL SCIENCES REGULATORY BOARD

PERMANENT ADMINISTRATIVE REGULATIONS

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-15 Continuing education. (a) Applicants for renewal of licensure shall have earned 100 continuing education hours in the two years preceding application for renewal. The required number of continuing education hours shall be pro-rated for periods of renewal which are less than the full two years, using the ratio of one-third of the continuing education hours for each six months since the date of licensure or most recent renewal. Each continuing education category as defined in 102-1-15(c) shall be pro-rated accordingly for those persons whose periods of renewal are less than the full two years. Persons who are licensed within six months of the current expiration period shall be exempt from the continuing education requirement for their first renewal period.

(b) One academic semester credit hour is equivalent to

15 continuing education hours.

(c) Continuing education credits counting toward the required 100 hours shall be distributed over the following categories of activities so that at least two categories are represented, and with a maximum of 75 hours in category one, a maximum of 75 hours in category two, and a maximum of 50 hours in category three. The categories shall

(1) Activities that are sponsored, accredited or conducted by educational institutions, by professional associations, or by private institutions that are nationally or regionally accredited for training or activities conducted by agencies and groups that do not meet the requirements of national or regional accreditation, if the content is clearly related to the enhancement of psychology skills and knowledge;

(2)(A) presentation of courses, workshops, or other formal training activities, when the content is clearly related to the enhancement of psychology skills and knowledge. Continuing education credit shall be allowed only for the initial presentation. A maximum of 25 continuing education hours shall be allowed for providing supervision. A maximum of 25 hours shall be allowed for receiving supervision; or

(B) publications and professional presentations. Fifteen hours may be claimed for each publication or book chapter authored by the applicant and 15 hours may be claimed for each scientific or professional paper presented; and

(3) non-supervised, self-programmed activities. Such

activities include the following:

(A) Self-instruction. The maximum number of hours al-

lowed shall be 25 hours:

(B) preparation by the applicant for a specialty board examination. The maximum number of hours allowed shall be 25 hours and shall be allowed only for the applicant's initial preparation for such an examination;

(C) participation in quality care, client or patient diagnosis review conferences, treatment utilization reviews, peer review, case consultation with another licensed psy-

chologist, or other quality assurance committees or activities. The maximum number of hours allowed in this subcategory shall be 25 hours;

(D) participation in professional organizations, if the organization's goals are clearly related to the enhancement of psychology values, skills, and knowledge. Such participation may include holding office or serving on committees of the organization. The maximum continuing education credit allowed shall be 25 hours; and

(E) receiving personal psychotherapy that is provided by a licensed or certified mental health provider and which is a part of a designated training program. A maximum of 25 continuing education hours shall be allowed for personal therapy. A maximum of 10 continuing education hours may be allowed for receiving personal psychotherapy which is not a part of a designated training

program.

(d) Each licensed psychologist shall be responsible for maintaining personal continuing education records. Forms for the recording of continuing education activities shall be provided by the board and shall be used by the licensee for reporting continuing education activities. Personal records of participation in continuing education activities shall be submitted to the board at a time or times specified by the board but not later than 60 days prior to the date the current license expires.

(e) In determining whether a claimed continuing education activity will be allowed, the licensed psychologist may be required by the board to demonstrate that the content was clearly related to psychology, or to verify that psychologist's participation in any claimed or reported activity. If a psychologist fails to comply with this requirement, the claimed credit may be disallowed by the board.

(f) Applicants who submit continuing education documentation that fails to meet the required 100 hours may request an extension form the board. The request shall include a plan for completion of the continuing education requirements. An extension, which shall not exceed six months, may be granted by the board.

(g) Contractual agreements with sponsors of continuing education activities may be signed by the board.

(h) Each licensed psychologist shall complete a program on professional ethics consisting of at least three hours of training. This program shall meet the requirements for inclusion in category 1 or, with prior approval of the board, in another category. This requirement shall commence with the 1988-90 renewal period and all subsequent periods. (Authorized by and implementing K.S.A. 1988 Supp. 74-7507; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended July 24,

102-1-7. Licenses. (a) Each applicant who meets standards for licensure, as provided by the laws of the state of Kansas, shall receive a license appropriate for display and a wallet-size card with the same information as on the license.

(b) An area of emphasis in psychology shall not be listed on licenses issued by the board.

(c) In the case of a revocation of license, the licensee shall be informed of the board's action by certified mail,

and the licensee shall return the license and wallet-size

card to the board within 30 days.

(d) If a licensee fails to renew the license or surrenders the license, the licensee shall return the license and wallet-size card to the board within 30 days of expiration or surrender of the license. (Authorized by K.S.A. 1987 Supp. 74-7507; implementing K.S.A. 1987 Supp. 74-5310, as amended by L. 1988, Ch. 243, Sec. 15, 74-5333 1987 Supp.; effective May 1, 1982; amended May 1, 1984; amended May 1, 1987; amended July 24, 1989.)

MARY ANN GABEL **Executive Director**

Doc. No. 007943

State of Kansas

DEPARTMENT OF ADMINISTRATION DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, June 19, 1989

#79798

University of Kansas Medical Center—RENTAL OF SCAFFOLDING

#79906

Department of Social and Rehabilitation Services-READY MIX CONCRETE

#79924

Osawatomie State Hospital-TELECOMMUNICATION PARTS

Tuesday, June 20, 1989

#A-5965

Topeka State Hospital—REROOF LAUNDRY BUILDING

#A-6017

Department of Transportation—INSULATE/ WEATHERPROOF BUILDING, Pratt

#A-6018

Department of Transportation—INSULATE/ WEATHERPROOF BUILDING, Great Bend #A-6019

Department of Transportation—INSULATE/ WEATHERPROOF BUILDING, Anthony #A-6020

Department of Transportation—INSULATE/ WEATHERPROOF BUILDING, El Dorado #A-6072

Department of Human Resources—REPLACE ROOF, 312 N. TOPEKA, Wichita #79785

University of Kansas Medical Center—LAB **EQUIPMENT**

#79812

Department of Administration Division of Architectural Service—FLAT FILES

#79815

University of Kansas—MULTIPLEXERS #79817

University of Kansas—PLAIN PAPER COPIER #79818

University of Kansas—PLAIN PAPER COPIER #79835

Kansas Correctional Industries—COARSE GROUND BEEF, Oskaloosa

#79836

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OPTICAL DISK SYSTEM FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENT

NICHOLAS B. ROACH Director of Purchases

INDEX TO ADMINISTRATIVE **REGULATIONS**

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30		Amended Amended	V. 7, p. 1869 V. 7, p. 1445	30-10-29	Amended	V. 7, p. 728	Dog No	Action	Register
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30)-5-100)-5-101	Amended Amended	V. 7, p. 1445 V. 7, p. 1869	30-10-29	Amended	V. 7, p. 728 V. 7, p. 729	44-6-136	Amended	V. 7, p. 308
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30 30 30)-5-100)-5-101)-5-102)-5-103	Amended Amended Amended Amended	V. 7, p. 1445 V. 7, p. 1869	30-10-29 30-22-30 30-22-32	Amended Amended Amended	V. 7, p. 728 V. 7, p. 729 V. 7, p. 729 V. 7, p. 729 V. 7, p. 729	44-6-136 44-6-138 44-6-141	Amended Amended Amended	V. 7, p. 308 V. 7, p. 308 V. 7, p. 309
30 30 30 30)-5-100)-5-101)-5-102)-5-103)-5-104	Amended Amended Amended Amended Amended	V. 7, p. 1445 V. 7, p. 1869 V. 7, p. 722 V. 7, p. 1869 V. 7, p. 1869	30-10-29 30-22-30 30-22-32 30-31-2	Amended Amended Amended Amended	V. 7, p. 728 V. 7, p. 729 V. 7, p. 729	44-6-136 44-6-138 44-6-141 44-7-104	Amended Amended Amended Amended	V. 7, p. 308 V. 7, p. 308 V. 7, p. 309 V. 7, p. 309
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30 30 30 30 30 30 30 30 30 33 33 33 33 3	0-5-100 0-5-101 0-5-102 0-5-103 0-5-104 0-5-108 0-5-108 0-5-110 0-5-1110 0-5-113 0-5-113 0-5-113 0-5-115 0-5-115 0-5-115 0-5-150 0-5-150 0-5-150 0-5-150 0-5-157 0-5-159 hrough 0-5-163 0-5-167 0-5-169	Amended New New New New New New New Amended	V. 7, p. 1445 V. 7, p. 1869 V. 7, p. 722 V. 8, p. 719 V. 8, p. 719 V. 7, p. 1869 V. 7, p. 1869 V. 7, p. 1869 V. 7, p. 1869 V. 7, p. 722 V. 7, p. 722 V. 7, p. 723 V. 8, p. 719 V. 8, p. 720 V. 7, p. 723	30-10-29 30-22-30 30-22-32 30-31-2 30-31-3 30-31-4 30-46-1 through 30-46-6 30-46-10 through 30-46-17 30-51-1 through 30-51-5 AG: Reg. No. 36-27-2 36-27-2 36-27-3 36-27-4 36-27-5 36-27-6 36-27-7 36-27-8	Amended Amended Amended Amended Amended Amended Amended New Revoked New New ENCY 36: DEP TRANSPOR Action Amended	V. 7, p. 728 V. 7, p. 729 V. 7, p. 1873 V. 7, p. 1873 V. 7, p. 1873 V. 7, p. 1873 ARTMENT OF TATION Register V. 7, p. 217 V. 7, p. 218 V. 7, p. 218	44-6-136 44-6-138 44-6-141 44-7-104 44-11-111 44-11-113 44-11-114 44-11-119 44-11-121 44-11-122 44-11-123 44-11-128 44-11-128 44-11-129 44-12-205 44-12-205 44-12-327 44-12-401 44-12-601 44-13-402 44-13-704 44-15-101b 44-15-102 44-16-103 44-16-108 AGENCY Reg. No.	Amended	V. 7, p. 308 V. 7, p. 308 V. 7, p. 308 V. 7, p. 309 V. 7, p. 2031 V. 8, p. 451 V. 7, p. 2032 V. 7, p. 2032 V. 8, p. 451 V. 7, p. 2032 V. 8, p. 451 V. 7, p. 2032 V. 8, p. 451 V. 7, p. 2033 V. 7, p. 2033 V. 7, p. 2033 V. 7, p. 311 V. 7, p. 313 V. 7, p. 315 V. 7, p. 317 V. 7, p. 318 V. 7, p. 1875 V. 7, p. 1875 V. 7, p. 1875
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